

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INTRODUCTION

14 I conducted a hearing on alleged violations of supervised release in this case on July 1,
15 2010. The defendant appeared pursuant to warrant issued in this case. The United States was
16 represented by Andrew Colasurdo, and defendant was represented by Michael Nance. Also
17 present was U.S. Probation Officer Jennifer Tien. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

19 Defendant was sentenced on August 28, 2007 by the Honorable Marsha J. Pechman for
20 Felon in Possession of Ammunition and Felon in Possession of a Firearm. He received 31
21 months of detention and 3 years of supervised release.

22 On January 26, 2010, a violation report and request for a warrant was submitted to the Court
23 after the defendant violated the conditions of supervision by drinking alcohol, committing the

1 crime of assault 4th degree, and failing to pay the special assessment as ordered by the Court. On
2 March 4, 2010, Mr. Roberts was sentenced to 28 days with credit for time served followed by 30
3 months of supervised release. Mr. Roberts was released on March 8, 2010, and began his second
4 term of supervised release.

5 PRESENTLY ALLEGED VIOLATIONS

6 In a petition dated May 14, 2010, U.S. Probation Officer Angela McGlynn alleged that
7 defendant violated the following conditions of supervised release:

8 1. Using marijuana on or about in violation of standard condition No. 7.

9 2. Failing to participate in a substance abuse evaluation and substance abuse treatment
10 as instructed in violation of the special condition requiring the defendant to participate in a
11 program approved by the probation officer for treatment of narcotic addiction, drug dependency,
12 or substance abuse addiction.

13 3. Failing to follow the instructions of the probation officer in violation of standard
14 condition No. 3.

15 4. Failing to notify the probation officer at least 10 days prior to any change in
16 residence in violation of standard condition No. 6.

17 5. Failing to submit a truthful and complete written report within the first five days of
18 each month for the month of March 2010, in violation of standard condition No. 2.

19 FINDINGS FOLLOWING EVIDENTIARY HEARING

20 Defendant admitted to violations 1, 3, 4, and 5, waived any hearing as to whether they
21 occurred, and was informed the matter would be set for a disposition hearing July 6, 2010 at
22 11:00 a.m. before District Judge Marsha J. Pechman. Defendant contested violation 2 and
23 requested an evidentiary hearing be set before Judge Pechman at the disposition hearing on July

1 6, 2010.

2 RECOMMENDED FINDINGS AND CONCLUSIONS

3 Based upon the foregoing, I recommend the court find that defendant has violated the
4 conditions of his supervised release as alleged above, and conduct a disposition hearing.

5 DATED this 1st day of July, 2010.

6 
7 BRIAN A. TSUCHIDA
8 United States Magistrate Judge